

DURA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Inventor: Dean Reynolds et al

Examiner:

Filed: 07/03/03

Atty. Docket No.: 02-11

U.S.S.N.: 10/613,890

Art Unit:

Title: CABLE ACTUATED ADJUSTABLE PEDAL

NOTICE TO FILE MISSING PARTS

(petition for revival of an App. For Patent Abandoned
Unintentionally Under 37 CFR 1.137 (b))

Mail Stop-Missing Parts
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

RECEIVED

OCT 02 2003

OFFICE OF PETITIONS

Dear Sir:

Recently we received a Notice Of Abandonment, which was mailed on September 9, 2003. Your document states that the above identified is abandoned, for failure to timely or properly reply, to the Notice to File Missing Parts.

However, we never received a Notice to File Missing Parts. Therefore, we were never aware that there was a due date that needed to be adhered to. Enclosed please find the following documents:

- 1.) Transmittal cover letter (2 pages);
- 2.) Petition for Revival Form PTO/SB/64 (2 pages);
- 3.) Terminal Disclaimer Form PTO/SB/63 (1 page);
- 4.) Fee Transmittal Form (1 page);
- 5.) Assignment w/ Recordation cover sheet (3 pages);
- 6.) Declaration and Power of Attorney; and
- 7.) The USPTO Part 2 copy (1 page).

Also, enclosed please find our version of a return postcard, which we ask be acknowledged and returned to us for our docketing purposes.

September 24, 2003

Sincerely,

Jennifer Sinkovich




CERTIFICATE OF MAILING

I hereby certify that all below named documents, in reference to the above identified Patent Application entitled: **"CABLE ACTUATED ADJUSTABLE PEDAL,"**

Transmittal cover letter (2 pages);
Petition for Revival Form PTO/SB/64 (2 pages);
Terminal Disclaimer Form PTO/SB/63 (1 page);
Fee Transmittal Form (1 page);
Assignment w/ Recordation cover sheet (3 pages);
Declaration and Power of Attorney; and
The USPTO Part 2 copy (1 page).

Are being sent via first class mail, addressed to: MAIL STOP-Missing Parts,
Honorable Commissioner for Patents, P.O. BOX 1450, Alexandria Virginia 22313-
1450, on this 24th day of September

Signature:


Jennifer Sinkovich

Date:

9/24/03



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
60/393,772	07/03/2002	Dean Reynolds	02-11

Dura Automotive Systems Inc.
 2791 Research Drive
 Rochester Hills, MI 48309-3575



CONFIRMATION NO. 9772
 ABANDONMENT/TERMINATION
 LETTER

OC00000010848460

Date Mailed: 09/10/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 07/22/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).


Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

RECEIVED

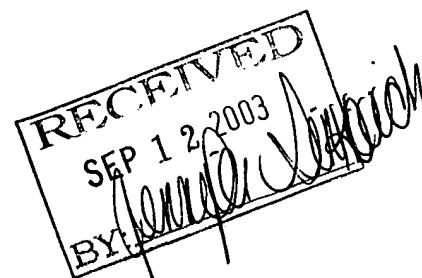
OCT 02 2003

*A copy of this notice **MUST** be returned with the reply.*

OFFICE OF PETITIONS


 Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE





Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,450.00

Complete if Known

Application Number 10/613,890

Filing Date 07/03/2003

First Named Inventor REYNOLDS et al

Examiner Name

Art Unit

Attorney Docket No. 02-11

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OCT 02 2003

OFFICE OF PETITIONS

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

500865

DURA AUTOMOTIVE SYSTEMS

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	0.00
1002 330	2002 165	Design filing fee	0.00
1003 520	2003 260	Plant filing fee	0.00
1004 750	2004 375	Reissue filing fee	0.00
1005 160	2005 80	Provisional filing fee	0.00

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	0.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	0.00
1053 130	2053 130	Non-English specification	0.00
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	0.00
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	0.00
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	0.00
1251 110	2251 55	Extension for reply within first month	0.00
1252 410	2252 205	Extension for reply within second month	0.00
1253 930	2253 465	Extension for reply within third month	0.00
1254 1,450	2254 725	Extension for reply within fourth month	0.00
1255 1,970	2255 985	Extension for reply within fifth month	0.00
1401 320	2401 160	Notice of Appeal	0.00
1402 320	2402 160	Filing a brief in support of an appeal	0.00
1403 280	2403 140	Request for oral hearing	0.00
1451 1,510	1451 1,510	Petition to institute a public use proceeding	0.00
1452 110	2452 55	Petition to revive - unavoidable	0.00
1453 1,300	2453 650	Petition to revive - unintentional	1,300.00
1501 1,300	2501 650	Utility issue fee (or reissue)	0.00
1502 470	2502 235	Design issue fee	0.00
1503 630	2503 315	Plant issue fee	0.00
1460 130	1460 130	Petitions to the Commissioner	0.00
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	0.00
1806 180	1806 180	Submission of Information Disclosure Stmt	0.00
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	40.00
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	0.00
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	0.00
1801 750	2801 375	Request for Continued Examination (RCE)	0.00
1802 900	1802 900	Request for expedited examination of a design application	0.00
			110.00

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,340.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

Casimir R. Kiczek

Registration No.
(Attorney/Agent)

28,865

Telephone 248-299-7566

Signature

Date

9/24/03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.